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Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Andorra,* Argentina, Australia,* Austria, Belgium,* Bosnia and Herzegovina,* Botswana, Brazil, Bulgaria,* Burkina Faso, Chile, Costa Rica, Côte d'Ivoire, Croatia,* Cyprus,* Czech Republic, Denmark,* Estonia, Finland,* France, Georgia,* Germany, Ghana,* Greece,* Guatemala,* Honduras,* Hungary,* Iceland,* Ireland, Italy, Latvia,* Liechtenstein,* Lithuania,* Luxembourg,* Maldives, Mexico, Montenegro, Morocco, Netherlands,* New Zealand,* Norway,* Panama,* Paraguay,* Peru, Poland,* Portugal,* Republic of Moldova,* Romania, San Marino,* Senegal,* Sierra Leone, Slovakia,* Slovenia,* Spain,* Sweden,* the former Yugoslav Republic of Macedonia, Switzerland,* Tunisia,* Turkey,* United Kingdom of Great Britain and Northern Ireland, Uruguay*: draft resolution

25/... Torture and other cruel, inhuman or degrading treatment or punishment: mandate of the Special Rapporteur

The Human Rights Council,

Reaffirming that no one shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment,

Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right under international law that must be respected and protected under all circumstances, including in times of international and internal armed conflict or internal disturbance or any other public emergency, that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is affirmed in the relevant international instruments, and that legal and procedural safeguards against such acts must not be subject to measures that would circumvent this right,

Recalling also that the prohibition of torture is a peremptory norm of international law, and that international, regional and domestic courts have recognized the prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law,

* Non-member State of the Human Rights Council.

Recognizing the importance of the work of the Special Rapporteur in the prevention and fight against torture and other cruel, inhuman or degrading treatment or punishment,

Appreciating the overall dedication of the Special Rapporteur in fulfilling the mandate,

Recalling Human Rights Councils resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling also all relevant resolutions of the General Assembly, the Economic and Social Council, the Human Rights Council and the Commission on Human Rights,

1. *Decides* to extend the mandate of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment for a further period of three years:

(*a*) To seek, receive, examine and act on information from Governments, intergovernmental and civil society organizations, individuals and groups of individuals regarding issues and alleged cases concerning torture or other cruel, inhuman or degrading treatment or punishment;

(*b*) To conduct country visits with the consent or at the invitation of Governments and to enhance further dialogue with them, as well as to follow up on recommendations made in reports after visits to their countries;

(*c*) To study, in a comprehensive manner, trends, developments and challenges in relation to combating and preventing torture and other cruel, inhuman or degrading treatment or punishment, and to make recommendations and observations concerning appropriate measures to prevent and eradicate such practices;

(*d*) To identify, exchange and promote best practices on measures to prevent, punish and eradicate torture and other cruel, inhuman or degrading treatment or punishment;

(*e*) To integrate a gender perspective and a victim-centered approach throughout the work of his or her mandate;

(*f*) To continue to cooperate with the Committee against Torture, the Subcommittee for the Prevention of Torture and relevant United Nations mechanisms and bodies and, as appropriate, regional organizations and mechanisms, national human rights institutions, national preventive mechanisms and civil society, including non-governmental organizations, as well as to contribute to the promotion of strengthened cooperation among the above-mentioned actors;

(*g*) To report on all of his or her activities, observations, conclusions and recommendations, to the Human Rights Council in accordance with its programme of work, and annually on overall trends and developments with regard to his or her mandate to the General Assembly, with a view to maximizing the benefits of the reporting process;

2. *Urges* States:

(*a*) To fully cooperate with and assist the Special Rapporteur in the performance of his or her task, to supply all necessary information requested by him or her and to fully and expeditiously respond to his or her urgent appeals, and urges those Governments that have not yet responded to communications transmitted to them by the Special Rapporteur to answer without further delay;

(*b*) To respond favourably to the Special Rapporteur's requests to visit their countries, and to enter into a constructive dialogue with the Special Rapporteur on

requested visits to their countries, noting pending requests and concerns expressed by the Special Rapporteur regarding last-minute postponements;

(*c*) To ensure, as an important element in preventing and combating torture and other cruel, inhuman and degrading treatment or punishment, that no authority or official orders, applics, permits or tolerates any sanction, reprisal, intimidation or other prejudice against any person, group or association, including persons deprived of their liberty, for contacting, seeking to contact or having been in contact with the Special Rapporteur or any other international or national monitoring or preventive body active in the prevention and combat of torture and other cruel, inhuman or degrading treatment or punishment;

(*d*) To ensure proper follow-up to the recommendations and conclusions of the Special Rapporteur;

(*e*) To adopt a victim-centered and gender-sensitive approach in the fight against torture and other cruel, inhuman or degrading treatment or punishment, paying special attention to gender-based violence that constitutes torture or other cruel, inhuman or degrading treatment or punishment;

(*f*) To ensure appropriate follow-up to conclusions, recommendations, requests for further information and views on individual communications of the relevant treaty bodies, including the Committee against Torture and the Subcommittee on the Prevention of Torture;

(*g*) To become parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as a matter of priority, and to consider signing and ratifying the Optional Protocol thereto and to designating or establishing independent and effective national preventive mechanisms for the prevention of torture and other cruel, inhuman or degrading treatment or punishment in a timely manner;

(*h*) To consider providing adequate support to the United Nations Voluntary Fund for Victims of Torture and the Special Fund established by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

3. *Takes note with appreciation* of the report of the Special Rapporteur;[1]

4. *Requests* the Secretary-General to ensure, from within the overall budgetary framework of the United Nations, the provision of an adequate and stable level of staffing and the facilities and resources necessary for the Special Rapporteur, bearing in mind the strong support expressed by Member States for preventing and combating torture and assisting victims of torture;

5. *Decides* to continue to consider this matter in conformity with its annual programme of work.

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[1] A/HRC/25/60.

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Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Andorra,* Angola,* Bangladesh,* Bolivia (Plurinational State of),* Bosnia and Herzegovina,* Burkina Faso, China, Congo, Croatia,* Cuba, Democratic People's Republic of Korea,* Ecuador,* El Salvador,* Ethiopia, France, Georgia,* Honduras,* Lithuania,* Luxembourg,* Malaysia,* Mexico, Myanmar,* Peru, San Marino,* Somalia,* South Africa, South Sudan,* Spain,* Sri Lanka,* State of Palestine,* Sudan,* Venezuela (Bolivarian Republic of): draft resolution

25/... The right to food

The Human Rights Council,

Recalling all previous resolutions of the General Assembly and the Human Rights Council on the right to food, as well as all resolutions of the Commission on Human Rights on the issue,

Recalling also the seventh special session of the Human Rights Council, at which the Council analysed the negative impact of the worsening of the world food crisis on the realization of the right to food for all, and Council resolutions S-7/1 of 22 May 2008, 9/6 of 18 September 2008 and 12/10 of 1 October 2009,

Recalling further the Universal Declaration of Human Rights, which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition and the United Nations Millennium Declaration, in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015,

Recalling the provisions of the International Covenant on Economic, Social and Cultural Rights, in which the right of everyone to adequate food, including the fundamental right of every person to be free from hunger, is recognized,

Bearing in mind the Rome Declaration on World Food Security, the World Food Summit Plan of Action and the Declaration of the World Food Summit, adopted on 13 June

* Non-Member State of the Human Rights Council.

2002, the Declaration of the World Summit on Food Security, adopted on 16 November 2009, and the Marrakesh Ministerial Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least Developed and Net Food-importing Countries, adopted on 15 April 1994,

Reaffirming the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,

Acknowledging that the right to food is the right of every individual, alone or in community with others, to have physical and economic access at all times to sufficient, adequate and culturally acceptable food that is produced and consumed sustainably, preserving access to food for future generations,

Reaffirming the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security, adopted on 16 November 2009,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated, and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming further that a peaceful, stable and enabling political, social and economic environment, at both the national and international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies, where coordinated efforts and shared responsibilities are essential,

Recognizing that, despite the efforts made, the problems of hunger, food insecurity and malnutrition have a global dimension and that there has been insufficient progress made in reducing hunger, and that they could increase dramatically in some regions unless urgent, determined and concerted action is taken,

Recognizing also that the complex character of the global food crisis, in which the right to food is threatened to be violated on a substantial scale, as a combination of several major factors, such as the global financial and economic crisis, environmental degradation, desertification and the impacts of global climate change, as well as natural disasters and the lack of development in many countries and transfer of relevant technology to address this issue, particularly in developing countries, least developed countries and small island and vulnerable developing States, that are having a negative impact on the realization of the right to food, in particular in the said countries,

Convinced that the elimination of the current distortions in the agricultural trading system will allow local producers and poor farmers to compete and sell their products, thereby facilitating the realization of the right to adequate food,

Resolved to act to ensure that the full realization of all human rights, including the right to development, is taken into account at the national, regional and international levels in addressing the global food crisis,

Recognizing the importance and positive role of smallholder farmers, including women farmers, family farmers and farmers in less favour areas, cooperatives and indigenous and local communities in developing countries,

Expressing its deep concern at the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which have resulted in massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

Stressing the importance of reversing the substantial decline in assistance devoted to agriculture since 1980, both in real terms and as a share of total official development assistance, while noting the recent partial inversion of this trend,

Recalling the pledges made to increase official development assistance devoted to agriculture, as well as that the realization of the right to food not only entails a sustainable increase in productivity but also a holistic approach that includes a focus on smallholder and traditional farmers, in particular women farmers, family farmers and farmers in less favoured areas, and groups in the most vulnerable situations, as well as national and international policies that are conducive to the realization of this right,

Recognizing the need to increase sustainable private and public investments in agriculture from all relevant sources for the realization of the right to food,

Recalling the endorsement of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security by the Committee on World Food Security at its thirty-eighth session, held on 11 May 2012, and by the Council of the Food and Agriculture Organization of the United Nations at its 144th session,

Recalling also the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", endorsed by the General Assembly in its resolution 66/288 of 27 July 2012,

Recognizing the ongoing inclusive consultative process within the Committee on World Food Security to develop voluntary and non-binding principles for responsible agricultural investments, intended for all stakeholders that are involved in, benefit from or are affected by those principles,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers* it intolerable that, as estimated by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 do so from hunger-related illness, that, as estimated by the Food and Agriculture Organization of the United Nations, the number of people who are chronically undernourished is about 842

million worldwide, and that an additional 1 billion people are suffering from serious malnutrition, including as a result of the global food crisis, while, according to the latter organization, the planet could produce enough food to feed everyone around the world;

4. *Expresses its deep concern* that, according to the report of the Food and Agriculture Organization of the United Nations entitled *The State of Food Insecurity in the World 2013*, the number of hungry people in the world remains unacceptably high and 98 per cent of undernourished people in the world live in developing countries;

5. *Expresses its concern* at the fact that the effects of the world food crisis continue to have serious consequences for the poorest and most vulnerable people, particularly in developing countries, which have been further aggravated by the world financial and economic crisis, and at the particular effects of this crisis on many net food-importing developing countries, especially on least developed countries;

6. *Also expresses its concern* that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries girls are twice as likely as boys to die from malnutrition and preventable childhood diseases, and that it is estimated that almost twice as many women as men suffer from malnutrition;

7. *Encourages* all States to take action to address de jure and de facto gender inequality and discrimination against women, in particular where it contributes to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and ensuring that women have equal access to social protection and to resources, including income, land and water and their ownership, as well as full and equal access to education, science and technology, to enable them to feed themselves and their families;

8. *Recognizes* the importance of smallholder and subsistence farmers in developing countries, including women and local and indigenous communities, in ensuring food security, reducing poverty and preserving ecosystems, and the need to assist their development;

9. *Encourages* the Special Rapporteur on the right to food to continue to mainstream a gender perspective in the fulfilment of his mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms that address the right to food and food insecurity to integrate into and effectively implement a gender perspective and a human rights perspective in their relevant policies, programmes and activities regarding access to food;

10. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive and accessible to persons with disabilities;

11. *Encourages* States to take steps with a view to progressively achieve the full realization of the right to food for all, and to take steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food and, where appropriate, to consider establishing appropriate institutional mechanisms and to adopt national plans to combat hunger;

12. *Underlines* the significance of national government policies and strategies on food production, poverty alleviation and social protection;

13. *Recognizes* the advances made through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food, and encourages States to increase such cooperation as a complement to North-South cooperation and to promote triangular cooperation further;

14. *Recognizes* the importance of traditional sustainable agricultural practices, inter alia, traditional seed supply systems, including for many indigenous peoples and local communities;

15. *Stresses* that the primary responsibility of States is to promote and protect the right to food and that the international community should provide, through a coordinated response and upon request, international cooperation in support for national and regional efforts by providing the assistance necessary to increase food production and access to food, particularly through agricultural development assistance, the transfer of technology, food crop rehabilitation assistance and food aid ensuring food security, with special attention to the specific needs of women and girls, support for the development of adapted technologies, research on rural advisory services and support for access to financing services, and ensure support for the establishment of secure land tenure systems;

16. *Calls upon* States parties to the International Covenant on Economic, Social and Cultural Rights to fulfil their obligations under article 2, paragraph 1, and article 11, paragraph 2, thereof, in particular with regard to the right to adequate food;

17. *Calls upon* States, individually and through international cooperation and assistance, relevant multilateral institutions and other relevant stakeholders, to take all the measures necessary to ensure the realization of the right to food as an essential human rights objective, and to consider reviewing any policy or measure that could have a negative impact on the realization of the right to food, particularly the right of everyone to be free from hunger, before instituting such a policy or measure;

18. *Stresses* that improving access to productive resources and investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, through, inter alia, the promotion of investments in appropriate, small-scale irrigation and water management technologies in order to reduce vulnerability to droughts, as well as in programmes, practices and policies to scale up agroecological approaches;

19. *Recognizes* that 80 per cent of hungry people live in rural areas and 50 per cent are small-scale farm-holders, and that these people are especially vulnerable to food insecurity, given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises, including through the facilitation of access of their products to national and international markets and empowerment of small producers, particularly women, in value chains, is a key element for food security and the provision of the right to food;

20. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands and, in this regard, calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;

21. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples, and acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concern over the obstacles and challenges they face to the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

22. *Requests* all States and private actors, and international organizations within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in ongoing negotiations in different fields;

23. *Encourages* all relevant international organizations and agencies to bring a human rights perspective and the need for the realization of the right to food for all to their studies, research, reports and resolutions on the issue of food security;

24. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with affected countries, towards the full realization and protection of the right to food and, in particular, to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting the enjoyment of the right to food;

25. *Takes note with appreciation* of the growing movement, in different regions of the world, towards the adoption of framework laws, national strategies and measures in support of the full realization of the right to food for all;

26. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

27. *Calls for* the early conclusion to and a successful, development-oriented outcome of the Doha Round of trade negotiations of the World Trade Organization as a contribution to creating international conditions permitting the full realization of the right to food;

28. *Stresses* that all States should make every effort to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

29. *Encourages* the Special Rapporteur to continue to cooperate with States in order to enhance the contribution of development cooperation and food aid to the realization of the right to food, within existing mechanisms, taking into account the views of all stakeholders;

30. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty,

31. *Recognizes* that the commitments made at the World Food Summit in 1996 to halve the number of people who are undernourished are not being fulfilled, while recognizing the efforts of Member States in that regard, and urges all States and international financial and development institutions, as well as relevant United Nations agencies and funds, to give priority to and provide the necessary funding for realizing the aim of halving by 2015 the number, or at least the proportion, of people who suffer from hunger, as stated in Millennium Development Goal 1, as well as the right to food, as set out in the Rome Declaration on World Food Security and the United Nations Millennium Declaration;

32. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive effort to improve public health, including the response to the spread of HIV/AIDS, tuberculosis, malaria and other diseases;

33. *Calls upon* all States and, if appropriate, relevant international organization to combat the different forms of malnutrition as a means to realize the right to adequate food, including, if appropriate, by adopting a national strategy in this regard;

34. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

35. *Stresses* the importance of international cooperation and development assistance as an effective contribution to both the expansion and improvement of agriculture and its environmental sustainability, and the provision of humanitarian food assistance in activities relating to emergency situations for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

36. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to promote such policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on the realization of the right to food;

37. *Encourages* the Special Rapporteur on the right to food and the Working Group on the issue of human rights and transnational corporations and other business enterprises to cooperate on the subject of the contribution of the private sector to the realization of the right to food, including the importance of ensuring sustainable water resources for human consumption and agriculture;

38. *Encourages* the Special Rapporteur to continue his collaboration with relevant international organizations and United Nations agencies, programmes and funds, in particular the Rome-based ones, including the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development and the World Food Programme, in order to contribute to ensuring that the right to food is promoted further within these organizations, in accordance with their respective mandates, including for the advancement of smallholders and agricultural workers in both developing and least developed countries;

39. *Expresses concern* at the negative impact on the full enjoyment of the right to adequate food of insufficient purchasing power and the increased price volatility of agricultural commodities on international markets, particularly on people in developing countries and on net food-importing countries;

40. *Stresses* the need to address the root causes of excessive food price volatility, including its structural causes, at all levels, and the need to manage the risks linked to still high and excessively volatile prices in agriculture commodities and their consequences for global food security and nutrition, as well as for smallholder farmers and poor urban dwellers;

41. *Encourages* the Special Rapporteur, within his existing mandate, to explore, in consultation with Member States and relevant stakeholders, ways and means of raising the capacity of countries, particularly developing countries, including least developed and net food-importing developing countries, to ensure the realization and protection of the right to adequate food for their populations, and to report on his findings to the Human Rights Council;

42. *Welcomes* the report of the Special Rapporteur;[1]

43. *Supports* the fulfilment of the mandate of the Special Rapporteur, as established by the Human Rights Council in its resolution 6/2 of 27 September 2007, and takes note with appreciation of the work conducted by the Special Rapporteur in the fulfilment of the mandate;

44. *Requests* the Special Rapporteur, as part of the mandate, to continue to monitor the evolution of the world food crisis and, in the context of the mandate and regular reports, to keep the Human Rights Council informed of the impact of the crisis on the enjoyment of the right to food and to alert it to possible further actions in this regard;

45. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for the continuation of the effective fulfilment of the mandate of the Special Rapporteur;

46. *Welcomes* the continued cooperation of the High Commissioner, the Advisory Committee and the Special Rapporteur, and encourages them to continue their cooperation;

47. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his or her task by supplying all necessary information requested by the mandate holder and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable him or her to fulfil his or her mandate more effectively;

48. *Recalls* the requests made by the General Assembly in its resolution 68/177 of 18 December 2013 that the Special Rapporteur submit to the Assembly an interim report at its sixty-ninth session on the implementation of that resolution, and to continue his work, including by examining the emerging issues with regard to the realization of the right to food within the existing mandate;

49. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies and civil society actors, including non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his or her mandate through, inter alia, the submission of comments and suggestions on ways and means of realizing the right to food;

50. *Requests* the Special Rapporteur to submit a report on the implementation of the present resolution to the Human Rights Council at its twenty-eighth session;

51. *Decides* to continue consideration of this matter under the same agenda item at its twenty-eighth session.

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[1] A/HRC/25/57 and Add.1 and 2.

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Human Rights Council
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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Algeria, Angola,* Bangladesh,* Bolivia (Plurinational State of),* China, Congo, Cuba, Democratic People's Republic of Korea,* Ecuador,* El Salvador,* Ethiopia, Iran (Islamic Republic of),* Somalia,* Sri Lanka,* State of Palestine,* Sudan,* Venezuela (Bolivarian Republic of): draft resolution

25/... Promotion of a democratic and equitable international order

The Human Rights Council,

Recalling all previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on this issue, in particular Assembly resolution 65/223 of 21 December 2010 and Council resolutions 8/5 of 18 June 2008, 18/6 of 29 September 2011 and 21/9 of 27 September 2012,

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and of international law as set forth in Articles 1 and 2 of the Charter and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

* Non-member State of the Human Rights Council.

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practice tolerance and good neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally and that, in this regard, the central role must be played by the United Nations as the most universal and representative organization in the world,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, the inequitable distribution of wealth, marginalization and social exclusion,

Reaffirming that dialogue among religions, cultures and civilizations could contribute greatly to the enhancement of international cooperation at all levels,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people and that only through broad and sustained efforts, based on our common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Deeply concerned that the current global economic, financial, energy and food crises, resulting from a combination of several major factors, including macroeconomic and other factors, such as environmental degradation, desertification and global climate change, natural disasters and the lack of financial resources and the technology necessary to confront their negative impact in developing countries, particularly in the least developed countries and small island developing States, represent a global scenario that is threatening the adequate enjoyment of all human rights and widening the gap between developed and developing countries,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures, at the global level, that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Stressing also the need for adequate financing of, and technology transfer to, developing countries, in particular landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Reaffirms* that everyone is entitled to a democratic and equitable international order;

2. *Also reaffirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Declares* that democracy includes respect for all human rights and fundamental freedoms and is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives, and reaffirms the need for universal adherence to and implementation of the rule of law at both the national and international levels;

4. *Reaffirms* the Universal Declaration of Human Rights, in particular the principle that the will of the people, as expressed through periodic and genuine elections, shall be the basis of government authority, as well as the right to choose representatives freely through periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures;

5. *Calls upon* all Member States to fulfil their commitment expressed during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies and increased intercultural exchange through the preservation and promotion of cultural diversity, and reiterates that only through broad and sustained efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

6. *Reaffirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(*a*) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(*b*) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(*c*) The right of every human person and all peoples to development;

(*d*) The right of all peoples to peace;

(*e*) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(*f*) International solidarity, as a right of peoples and individuals;

(*g*) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principle of full and equal participation in their respective decision-making mechanisms;

(*h*) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(*i*) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(*j*) The promotion of a free, just, effective and balanced international information and communications order, based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(*k*) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(*l*) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(*m*) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;

(*n*) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(*o*) The shared responsibility of the nations of the world for managing worldwide economic and social development, as well as threats to international peace and security, that should be exercised multilaterally;

7. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional

particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

8. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

9. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

10. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

11. *Also reaffirms* the need to continue working urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, in order to correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries and ensure steadily accelerating economic and social development and peace and justice for present and future generations;

12. *Further reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

13. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

14. *Takes note* of the report of the Independent Expert on the promotion of a democratic and equitable international order, submitted in compliance with Council resolutions 18/6 and 21/9;[1]

15. *Calls upon* all Governments to cooperate with and assist the Independent Expert in the discharge of his mandate, and to provide him with all the necessary information requested by him in order to enable him to fulfil his duties effectively;

16. *Requests* the United Nations High Commissioner for Human Rights to continue to provide all the necessary human and financial resources for the effective fulfilment of the mandate by the Independent Expert;

17. *Requests* the Independent Expert to submit to the Human Rights Council, at its twenty-seventh session, a report on the implementation of the present resolution;

[1] A/HRC/24/38.

18. *Invites* the Independent Expert to continue to develop close cooperation with academia, think tanks and research institutes, such as South Centre, and other stakeholders from all regions;

19. *Requests* the human rights treaty bodies, the Office of the High Commissioner, the special mechanisms extended by the Human Rights Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions to its implementation;

20. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

21. *Requests* the Office of the High Commissioner to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations, and to disseminate it on the widest possible basis;

22. *Decides* to continue consideration of this matter under the same agenda item at its twenty-seventh session.

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Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Angola,* Bangladesh,* Bolivia (Plurinational State of),* Burkina Faso, Congo, Cuba, Democratic People's Republic of Korea,* Ecuador,* Ethiopia, Myanmar,* Somalia,* South Africa, Sri Lanka,* State of Palestine,* Sudan,* Venezuela (Bolivarian Republic of): draft resolution

25/... Mandate of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action and other relevant international human rights instruments,

Reaffirming all resolutions and decisions adopted by the Commission on Human Rights and the Human Rights Council on the effects of structural adjustment and economic reform policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights,

Reaffirming also Human Rights Council resolution S-10/1 of 23 February 2009 on the impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights,

Recalling Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

* Non-member State of the Human Rights Council.

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Stressing that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character,

Emphasizing that the World Conference on Human Rights agreed to call upon the international community to make all efforts to help to alleviate the external debt burden of developing countries in order to supplement the efforts of the Governments of such countries to attain the full realization of the economic, social and cultural rights of their people,

Stressing the determination expressed in the United Nations Millennium Declaration to deal comprehensively and effectively with the debt problems of low- and middle-income developing countries through various national and international measures designed to make their debt sustainable in the long term,

Mindful of the role, mandate and activities of other United Nations agencies, funds and programmes in dealing with the issues of foreign debt and international financial obligations,

Acknowledging that there is greater acceptance that the increasing debt burden faced by the most indebted developing countries, in particular the least developed countries, is unsustainable and constitutes one of the principal obstacles to achieving progress in people-centred sustainable development and poverty eradication, and that, for many developing countries and countries with economies in transition, excessive debt servicing has severely constrained their capacity to promote social development and provide basic services to create the conditions for the realization of economic, social and cultural rights,

Expressing its concern that, despite repeated rescheduling of debt, developing countries continue to pay out more each year than the actual amount they receive in official development assistance,

Affirming that debt burden further complicates the numerous problems facing developing countries, contributes to extreme poverty and is an obstacle to sustainable human development, and is thus a serious impediment to the realization of all human rights,

1. *Recalls* that every State has the primary responsibility to promote the economic, social and cultural development of its people and, to that end, has the right and responsibility to choose its means and goals of development and should not be subject to external specific prescriptions for economic policy;

2. *Recognizes* that structural adjustment reform programmes and policy conditionalities limit public expenditure, impose fixed expenditure ceilings and give inadequate attention to the provision of social services, and that only a few countries manage to achieve sustainable higher growth under these programmes;

3. *Also recognizes* that debt relief can play a key role in liberating resources that should be directed towards activities consistent with attaining sustainable growth and development, including poverty reduction and the achievement of development goals, including those set out in the United Nations Millennium Declaration, and therefore that debt relief measures, where appropriate, should be pursued vigorously and expeditiously, ensuring that they do not replace alternative sources of financing and that they are accompanied by an increase in official development assistance;

4. *Recalls once again* the call on industrialized countries, as expressed in the Millennium Declaration, to implement the enhanced programme of debt relief for the heavily indebted poor countries without further delay and to agree to cancel all official

bilateral debts of those countries in return for their making demonstrable commitments to poverty reduction;

5. *Urges* the international community, including the United Nations system, the Bretton Woods institutions and the private sector, to take appropriate measures and actions for the implementation of the pledges, commitments, agreements and decisions of major United Nations conferences and summits, including the Millennium Summit, the World Conference on Human Rights, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the World Conference on Sustainable Development and the International Conference on Financing for Development, in particular those relating to the question of the external debt problem of developing countries, in particular of heavily indebted poor countries, least developed countries and countries with economies in transition;

6. *Reiterates its request* to the United Nations High Commissioner for Human Rights to pay more attention to the problem of the debt burden of developing countries, in particular of least developed countries, and especially the social impact of the measures arising from foreign debt;

7. *Welcomes* the work and contributions of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, and takes note with appreciation of his latest report to the Council;[1]

8. *Decides* to extend the mandate of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, for a period of three years, and requests the Independent Expert to pay particular attention to:

(*a*) The effects of foreign debt and the policies adopted to address them on the full enjoyment of all human rights, in particular, economic, social and cultural rights in developing countries;

(*b*) The impact of foreign debt and other related international financial obligations on the capacity of States to design and implement their policies and programmes, including national budgets that respond to vital requirements for the promotion of the realization of social rights;

(*c*) Measures taken by Governments, the private sector and international financial institutions to alleviate such effects in developing countries, especially the poorest and heavily indebted countries;

(*d*) New developments, actions and initiatives being taken by international financial institutions, other United Nations bodies and intergovernmental and non-governmental organizations with respect to economic reform policies and human rights;

(*e*) Quantification of minimum standards to support the realization of the Millennium Development Goals;

(*f*) Enhancement of consultations with all relevant stakeholders in the fulfilment of this mandate;

9. *Calls upon* all Governments to cooperate with and assist the Independent Expert in the discharge of his or her mandate, to provide him or her with all the necessary

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[1] A/HRC/25/50 and Add.1–3.

information requested by him or her, and to give serious consideration to responding favourably to his or her requests to visit their countries in order to enable him or her to fulfil his or her duties effectively;

10. *Urges* international organizations, international financial institutions, non-governmental organizations and the private sector to cooperate fully with the Independent Expert in the discharge of his or her mandate;

11. *Requests* the High Commissioner to provide all the necessary human and financial resources for the effective fulfilment of the mandate by the Independent Expert;

12. *Requests* the Independent Expert to report regularly to the Human Rights Council and the General Assembly in accordance with their respective programmes of work;

13. *Decides* to continue its consideration of this matter at its twenty-eighth session under the same agenda item.

United Nations A/HRC/25/L.29

General Assembly

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Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Angola,* Bangladesh,* Bolivia (Plurinational State of),* Burkina Faso, China, Congo, Cuba, Democratic People's Republic of Korea,* Ecuador,* El Salvador,* Ethiopia, Guatemala,* Honduras,* Iran (Islamic Republic of),* Malaysia,* Mexico, Panama,* Somalia,* South Sudan,* Spain,* Sri Lanka,* State of Palestine,* Sudan,* Venezuela (Bolivarian Republic of): draft resolution

25/... Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Vienna Declaration and Programme of Action and all other relevant human rights instruments,

Recalling also all relevant resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, including Assembly resolutions 64/81 of 7 December 2009 and 64/174 of 18 December 2009, and Council resolutions 10/23 of 26 March 2009, 14/9 of 18 June 2010, 17/15 of 17 June 2011, 19/6 of 22 March 2012, 20/11 of 5 July 2012 and 23/10 of 13 June 2013,

Taking note of the declarations within the United Nations system on cultural diversity and international cultural cooperation, in particular the Declaration of the Principles of International Cultural Cooperation and the Universal Declaration on Cultural Diversity, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 4 November 1966 and 2 November 2001 respectively,

* Non-member State of the Human Rights Council.

Taking note also of general comment No. 21 on the right of everyone to take part in cultural life, adopted by the Committee on Economic, Social and Cultural Rights on 13 November 2009,

Noting the increasing number of parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 20 October 2005, and which entered into force on 18 March 2007,

Convinced that international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all should be based on an understanding of the economic, social and cultural specificities of each country, the full realization and recognition of the universality of all human rights and the principles of freedom, justice, equality and non-discrimination,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

Determined to treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Affirming the necessity of an international enabling environment for the conservation, development and diffusion of science, while preserving, promoting and giving primacy to public interest,

1. *Reaffirms* that cultural rights are an integral part of human rights, which are universal, indivisible, interrelated and interdependent;

2. *Recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

3. *Reaffirms* that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of the State, regardless of its political, economic and cultural system, to promote and protect all human rights and fundamental freedoms;

4. *Recalls* that, as expressed in the Universal Declaration on Cultural Diversity, no one may invoke cultural diversity to infringe upon human rights guaranteed by international law, nor to limit their scope;

5. *Reaffirms* that States have the responsibility to promote and protect cultural rights, and that these rights should be guaranteed for all, without discrimination;

6. *Recognizes* that respect for cultural diversity and the cultural rights of all enhances cultural pluralism, contributing to a wider exchange of knowledge and understanding of cultural heritage and cultural background, advancing the application and enjoyment of human rights throughout the world and fostering stable, friendly relations among peoples and nations worldwide;

7. *Also recognizes* that respect for cultural rights is essential for development, peace and the eradication of poverty, building social cohesion and the promotion of mutual respect, tolerance and understanding between individuals and groups, in all their diversity;

8. *Emphasizes* that the universal promotion and protection of human rights, including cultural rights, and respect for cultural diversity should reinforce each other;

9. *Takes note* of the report of the Special Rapporteur in the field of cultural rights,[1] in which she focused on memorialization processes;

10. *Also takes note* of the work conducted by the Special Rapporteur, including the holding, in Geneva, of an experts' meeting on the issue, on 7 and 8 October 2013, and of a public consultation, on 5 July 2013;

11. *Reiterates its call upon* all Governments to cooperate with and assist the Special Rapporteur in the discharge of her mandate, to provide her with all the necessary information requested by her and to give serious consideration to responding favourably to her requests to visit their countries in order to enable her to fulfil her duties effectively;

12. *Requests* the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate by the Special Rapporteur;

13. *Invites* the Special Rapporteur to continue to address, in the course of her work, the issue of the right to enjoy the benefits of scientific progress and its applications;

14. *Decides* to hold, at its twenty-seventh session, a panel discussion on history teaching and memorialization processes, with a view to, inter alia, contributing to the sharing of good practices in this area, and invites the High Commissioner to liaise with States, relevant United Nations bodies and agencies, relevant special procedures, in particular the Special Rapporteur in the field of cultural rights and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, civil society and other stakeholders, with a view to ensuring their participation in the panel discussion;

15. *Requests* the High Commissioner to prepare a summary report on the panel discussion for submission to the Human Rights Council at its twenty-eighth session;

16. *Requests* the Special Rapporteur to present her next report to the Human Rights Council at its twenty-eighth session;

17. *Decides* to continue consideration of this matter at its twenty-eighth session under the same agenda item.

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[1] A/HRC/25/49.

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Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Algeria, Angola,* Bangladesh,* Bolivia (Plurinational State of),* Burkina Faso, China, Congo, Cuba, Democratic People's Republic of Korea,* Ecuador,* El Salvador,* Ethiopia, Guatemala,* Honduras,* Indonesia, Iran (Islamic Republic of),* Malaysia,* Mexico, Panama,* Somalia,* South Sudan,* Spain,* Sri Lanka,* State of Palestine,* Sudan,* Venezuela (Bolivarian Republic of): draft resolution

25/... Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Vienna Declaration and Programme of Action and all other relevant human rights instruments,

Recalling also all relevant resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, including Assembly resolutions 64/81 of 7 December 2009 and 64/174 of 18 December 2009, and Council resolutions 10/23 of 26 March 2009, 14/9 of 18 June 2010, 17/15 of 17 June 2011, 19/6 of 22 March 2012, 20/11 of 5 July 2012 and 23/10 of 13 June 2013,

Taking note of the declarations within the United Nations system on cultural diversity and international cultural cooperation, in particular the Declaration of the Principles of International Cultural Cooperation and the Universal Declaration on Cultural Diversity, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 4 November 1966 and 2 November 2001 respectively,

Noting the increasing number of parties to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, adopted by the General Conference of

* Non-member State of the Human Rights Council.

the United Nations Educational, Scientific and Cultural Organization on 20 October 2005, and which entered into force on 18 March 2007,

Convinced that international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all should be based on an understanding of the economic, social and cultural specificities of each country, the full realization and recognition of the universality of all human rights and the principles of freedom, justice, equality and non-discrimination,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

Determined to treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Affirming the necessity of an international enabling environment for the conservation, development and diffusion of science, while preserving, promoting and giving primacy to public interest,

1. *Reaffirms* that cultural rights are an integral part of human rights, which are universal, indivisible, interrelated and interdependent;

2. *Recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

3. *Reaffirms* that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of the State, regardless of its political, economic and cultural system, to promote and protect all human rights and fundamental freedoms;

4. *Recalls* that, as expressed in the Universal Declaration on Cultural Diversity, no one may invoke cultural diversity to infringe upon human rights guaranteed by international law, nor to limit their scope;

5. *Reaffirms* that States have the responsibility to promote and protect cultural rights, and that these rights should be guaranteed for all, without discrimination;

6. *Recognizes* that respect for cultural diversity and the cultural rights of all enhances cultural pluralism, contributing to a wider exchange of knowledge and understanding of cultural heritage and cultural background, advancing the application and enjoyment of human rights throughout the world and fostering stable, friendly relations among peoples and nations worldwide;

7. *Also recognizes* that respect for cultural rights is essential for development, peace and the eradication of poverty, building social cohesion and the promotion of mutual respect, tolerance and understanding between individuals and groups, in all their diversity;

8. *Emphasizes* that the universal promotion and protection of human rights, including cultural rights, and respect for cultural diversity should reinforce each other;

9. *Takes note* of the report of the Special Rapporteur in the field of cultural rights,[1] in which she focused on memorialization processes;

10. *Also takes note* of the work conducted by the Special Rapporteur, including the holding, in Geneva, of an experts' meeting on the issue, on 7 and 8 October 2013, and of a public consultation, on 5 July 2013;

[1] A/HRC/25/49.

11. *Reiterates its call upon* all Governments to cooperate with and assist the Special Rapporteur in the discharge of her mandate, to provide her with all the necessary information requested by her and to give serious consideration to responding favourably to her requests to visit their countries in order to enable her to fulfil her duties effectively;

12. *Requests* the United Nations High Commissioner for Human Rights to provide all the human and financial resources necessary for the effective fulfilment of the mandate by the Special Rapporteur;

13. *Invites* the Special Rapporteur to continue to address, in the course of her work, the issue of the right to enjoy the benefits of scientific progress and its applications;

14. *Decides* to hold, at its twenty-seventh session, a panel discussion on history teaching and memorialization processes, with a view to, inter alia, contributing to the sharing of good practices in this area, and invites the High Commissioner to liaise with States, relevant United Nations bodies and agencies, relevant special procedures, in particular the Special Rapporteur in the field of cultural rights and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, civil society and other stakeholders, with a view to ensuring their participation in the panel discussion;

15. *Requests* the High Commissioner to prepare a summary report on the panel discussion for submission to the Human Rights Council at its twenty-eighth session;

16. *Requests* the Special Rapporteur to present her next report to the Human Rights Council at its twenty-eighth session;

17. *Decides* to continue consideration of this matter at its twenty-eighth session under the same agenda item.

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Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Andorra,* Argentina, Australia,* Austria, Belgium,* Bolivia (Plurinational State of),* Bosnia and Herzegovina,* Burkina Faso, Chile, Costa Rica, Côte d'Ivoire, Croatia,* Cuba, Cyprus,* Denmark,* Djibouti,* Ecuador,* Egypt,* El Salvador,* Finland,* France, Georgia,* Germany, Greece,* Guatemala,* Honduras,* Hungary,* Iceland,* Latvia,* Lithuania,* Maldives, Mexico, Montenegro, New Zealand,* Norway,* Panama,* Paraguay,* Peru, Portugal,* San Marino,* Senegal,* Serbia,* Slovakia,* Slovenia,* Spain,* Sudan,* Sweden,* Thailand,* the former Yugoslav Republic of Macedonia, Tunisia,* Turkey,* United States of America, United Kingdom of Great Britain and Northern Ireland, Uruguay,* Venezuela (Bolivarian Republic of): draft resolution

25/... The right to education of persons with disabilities

The Human Rights Council,

Recalling the Convention on the Rights of Persons with Disabilities,

Recalling also the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed the full enjoyment of their rights and freedoms without discrimination,

Reaffirming all previous resolutions of the Human Rights Council on the rights of persons with disabilities, the most recent of which was resolution 22/3 of 21 March 2013, and welcoming the efforts of all stakeholders to implement those resolutions,

Recalling the human right of everyone to education, which is enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Rights of Migrant Workers and Members of Their Families, and, most

* Non-member State of the Human Rights Council.

recently with regard to persons with disabilities, in the Convention on the Rights of Persons with Disabilities, and other relevant international instruments,

Recalling in particular that article 24 of the Convention on the Rights of Persons with Disabilities reaffirms the right of persons with disabilities to education, and provides that, with a view to realizing this right without discrimination and on the basis of equal opportunity, States parties shall ensure an inclusive education system at all levels and lifelong learning,

Recalling relevant guidelines of the United Nations Educational, Scientific and Cultural Organization, such as the Guidelines for Inclusion: Ensuring access to Education for All of 2005,

Recognizing that progress has been made, yet deeply concerned that many persons with disabilities in all regions continue to face significant obstacles in exercising their right to education without discrimination and on the basis of equal opportunity,

Deeply concerned at the violence, stigmatization and discrimination faced by persons with disabilities, which leads to their exclusion and hinders and often prevents their access to education,

Deeply concerned also that girls and women of all ages with disabilities are subject to multiple, aggravated or intersecting forms of discrimination, including in the context of realizing their right to education without discrimination and on the basis of equal opportunity,

Emphasizing that the equal realization of the right to education of persons with disabilities is fundamental for their social and economic inclusion, and full participation in society,

Acknowledging that inclusive education benefits all children and society by celebrating diversity, promoting equality and participation for all and countering exclusion, stigmatization and discrimination,

Recognizing the need to build awareness among all persons, including persons with disabilities, their families, teachers, social workers, students, communities and all those involved in education systems, of the right of persons with disabilities to education without discrimination and on the basis of equal opportunity,

Concerned at the lack of data, research and statistics on the education of persons with disabilities, including women and indigenous persons, and its negative impact on effective and equitable policymaking,

Welcoming the high-level meeting of the General Assembly held on 23 September 2013 on disability and development and its outcome document, in which the Assembly stressed the importance of ensuring accessibility for and inclusion of persons with disabilities in all aspects of development, and encouraged the international community to seize every opportunity to include disability as a cross-cutting issue in the global development agenda, to give due consideration to all persons with disabilities in the emerging post-2015 development agenda of the United Nations, with a view to enhancing cooperation, and to provide relevant technical assistance to Member States upon their request,

Reaffirming the commitment in the above-mentioned outcome document to recognize, inter alia, the right to education on the basis of equal opportunity and non-discrimination by ensuring that all children have equal opportunity for access to an inclusive education system of good quality, and notes the recognition in the outcome document that promoting access to inclusive education systems supports equal access to full and productive employment and decent work on the same terms,

Recognizing the need to strengthen further the process of developing inclusive education systems, including by giving due consideration to inclusive education in the process of the elaboration of the post-2015 development agenda,

Underlining the importance of consulting closely with and actively involving persons with disabilities and their representative organizations in the process of the elaboration of the emerging post-2015 development agenda of the United Nations,

Welcoming the appointment of the Special Envoy of the Secretary-General on Disability and Accessibility, and encouraging him to consult closely with States, relevant United Nations entities, persons with disabilities and their representative organizations and all other relevant stakeholders in carrying out his work,

Noting the expiry of the mandate of the Special Rapporteur on Disability of the Commission on Social Development on 31 December 2014 and the Commission's decision to consider the possibility, at its fifty-third session, of another monitoring mechanism, with a view to strengthening the mainstreaming of disability in social development,

1. *Welcomes* the fact that, to date, 158 States have signed and 141 States and one regional integration organization have ratified or acceded to the Convention on the Rights of Persons with Disabilities, and that 92 States have signed and 79 States have ratified or acceded to the Optional Protocol to the Convention, and calls upon those States and regional integration organizations that have not yet ratified or acceded to the Convention and the Optional Protocol to consider doing so as a matter of priority;

2. *Encourages* States that have ratified the Convention and have submitted one or more reservations to it to initiate a process to review regularly the effect and continued relevance of such reservations, and to consider the possibility of withdrawing them;

3. *Welcomes* the thematic study on the right of persons with disabilities to education prepared by the Office of the United Nations High Commissioner for Human Rights,[1] and calls upon all stakeholders to consider the findings and recommendations of the study;

4. *Calls upon* States to ensure free birth registration for persons with disabilities, including free or low-fee late birth registration, by means of universal, accessible, simple, expeditious and effective registration procedures, without discrimination of any kind;

5. *Urges* States to take effective measures to address and prevent all forms of violence and bullying against persons with disabilities, in particular in and around schools, other learning facilities and the community, including by putting in place inclusive and effective child protection measures that have adequate links to schools;

6. *Also urges* States to take all appropriate measures to eliminate discrimination against women and girls with disabilities and to promote gender equality, in order to ensure their full participation and equal enjoyment of their rights, in particular in the field of education;

7. *Calls upon* States that are not yet party to the Convention on the Rights of Persons with Disabilities to ensure that persons with disabilities can effectively and fully enjoy the right to education without discrimination and on the basis of equal opportunity, and encourages them to transition to an inclusive education system, to enrol new students to such a system and to provide opportunities for life-long learning, taking into account and respecting the unique needs of different disability constituencies;

[1] A/HRC/25/29.

8. *Calls upon* States parties to adopt and implement appropriate measures, including legislative measures, to ensure that persons with disabilities enjoy the right to education without discrimination and on the basis of equal opportunity by ensuring an inclusive education system at all levels and life-long learning, in accordance with the Convention, and urges States parties in furtherance of this objective to, inter alia:

(*a*) Make primary education compulsory and available free to all children;

(*b*) Adopt inclusive education laws and policies that prohibit rejection from the general education system on the basis of disability and guarantee continuity in education on an equal basis;

(*c*) Modify or abolish laws and policies that discriminate against or have the effect of excluding students from the general education system on the basis of disability;

(*d*) Accommodate the different needs and ways of learning of all students and by taking a student-centred approach;

(*e*) Ensure reasonable accommodation of the individual's requirements, providing the support required, within the general education system, to facilitate their effective education, as well as provide effective individualized support measures in environments that maximize academic and societal development, consistent with the goal of full inclusion, including by allocating sustained and adequate financial resources;

(*f*) Recognize, promote and facilitate the use of sign languages and other appropriate modes and means of communication for the individual that maximize academic and social development and participation, in accordance with article 24, pragraph 3 of the Convention on the Rights of Persons with Disabilities;

(*g*) Adopt positive and other measures to include persons with disabilities in general tertiary education, vocational training, general adult education and continuing education programmes and funding opportunities, particularly for those who have been excluded from primary and secondary education, without discrimination and on an equal basis with others;

9. *Encourages* States and relevant institutions to provide ongoing professional training, teacher qualification programmes and capacity-building for education personnel on inclusive education, training for sign language teachers and interpreters, and teacher training for persons with disabilities;

10. *Urges* States to take measures to eliminate accessibility barriers to education, including those related to physical, linguistic, communication, sensory, technology, transportation and information access, including in remote, isolated or rural areas;

11. *Encourages* all relevant actors in the design of products, environments, programmes and services relating to education to pay due attention to universal design and to universal design for learning, which requires consideration of the needs of all members of society in order to avoid the need for any subsequent adaptation or specific design;

12. *Urges* States to consult closely with and actively involve persons with disabilities and their representative organizations in designing, implementing, evaluating and monitoring policies and programmes relating to educational matters;

13. *Encourages* States and invites other relevant stakeholders, including national monitoring mechanisms, to collect appropriate information, including disability-specific and gender-specific statistical and research data, to enable the formulation and implementation of inclusive education policies;

14. *Also encourages* States to develop measurable goals on inclusive quality education and to promote their monitoring through indicators, including disability-specific indicators;

15. *Further encourages* States to create or strengthen relevant monitoring or complaint mechanisms that, inter alia, promote, protect and monitor the implementation of the right to education for persons with disabilities;

16. *Recognizes* the importance of international cooperation and its promotion in support of national efforts to promote the rights of persons with disabilities, including the right to education of persons with disabilities without discrimination and on the basis of equal opportunity, and in this regard encourages the mobilization of public and private resources on a sustainable basis to mainstream disability in development at all levels, and underlines the need to promote and strengthen international cooperation at all levels, the exchange of good practices and partnerships for disability-inclusive development;

17. *Calls upon* States to ensure that all international cooperation is inclusive of persons with disabilities and does not contribute to creating new barriers for them;

18. *Encourages* States and intergovernmental organizations to consider becoming party to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled;

19. *Decides* to continue to integrate the rights of persons with disabilities into its work, in accordance with Human Rights Council resolution 7/9 of 27 March 2008, and invites States to consider the possibility of establishing a special procedure mandate on the rights of persons with disabilities within 2014;

20. *Also decides* that its next annual interactive debate on the rights of persons with disabilities will be held at its twenty-eighth session, from within existing resources, and that it will focus on article 19 of the Convention on the Rights of Persons with Disabilities on living independently and being included in the community, and will have international sign interpretation and captioning;

21. *Requests* the Office of the High Commissioner to prepare its annual study on the rights of persons with disabilities on article 19 of the Convention on living independently and being included in the community, from within existing resources and in consultation with States and other relevant stakeholders, regional organizations, the Special Rapporteur on Disability of the Commission for Social Development, civil society organizations, including organizations of persons with disabilities, and national human rights institutions, requiring contributions to be submitted in an accessible format, and requests that such stakeholder contributions, and the study and an easy-to-read-version of it, be made available on the website of the Office, in an accessible format, prior to the twenty-eighth session of the Human Rights Council;

22. *Encourages* organizations of persons with disabilities, national monitoring bodies and human rights institutions to participate actively in the debate referred to in paragraph 20 above, as well as in regular and special sessions of the Human Rights Council and its working groups;

23. *Requests* the Secretary-General to continue to ensure that the work of the Office of the High Commissioner with respect to the rights of persons with disabilities and the Committee on the Rights of Persons with Disabilities are adequately resourced for the fulfilment of their tasks;

24. *Invites* the Conference of State Parties to the Convention on the Rights of Persons with Disabilities to consider the discussion of article 19 of the Convention on living independently and being included in the community, according to its mandate;

25. *Requests* the Secretary-General, the High Commissioner and United Nations offices to continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, also taking into account relevant provisions of the Convention on the Rights of Persons with Disabilities, and underlines that the Human Rights Council, including its Internet resources, should be fully accessible to persons with disabilities.

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Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Austria, Costa Rica, Croatia,* Cyprus,* Denmark,* France, Gabon, Georgia,* Greece,* Honduras,* Hungary,* Italy, Latvia,* Lithuania,* Luxembourg,* Maldives, Montenegro, Morocco, Netherlands,* Peru, Poland,* Romania, Slovakia,* Slovenia,* Spain,* Switzerland,* Tunisia,* Uruguay:* draft resolution

25/... Human rights and the environment

The Human Rights Council,

Reaffirming the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

Reaffirming Human Rights Council resolutions 16/11 of 24 March 2011 and 19/10 of 22 March 2012, and recalling that, in the latter, the Council decided to establish the mandate of the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment,

Recalling other relevant Human Rights Council resolutions on human rights and climate change, on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, on the human right to safe drinking water and sanitation, and on the right to food as well as relevant Commission on Human Rights resolutions on human rights and the environment as part of sustainable development,

Recalling also the Declaration of the United Nations Conference on the Human Environment, the Rio Declaration on Environment and Development, Agenda 21, the Programme for the Further Implementation of Agenda 21, the Johannesburg Declaration on

* Non-member State of the Human Rights Council.

Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development,

Welcoming the outcome of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, in June 2012, and its outcome document "The Future We Want", and aiming to contribute to follow-up processes, including the identification and realization of the sustainable development goals,

Recognizing that human beings are at the centre of concerns for sustainable development, that the right to development must be fulfilled in order to meet the development and environment needs of present and future generations equitably, and that the human person is the central subject of development and should be the active participant and beneficiary of the right to development,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Recalling the Guiding Principles on Business and Human Rights, as endorsed by the Human Rights Council in its resolution 17/4 of 16 June 2011,

Recognizing that sustainable development and the protection of the environment can contribute to human well-being and to the enjoyment of human rights,

Recognizing also, conversely, that climate change, unsustainable management and use of natural resources and the unsound management of chemicals and wastes represent threats to the enjoyment of a safe, clean, healthy and sustainable environment, and that environmental damage has negative implications, both direct and indirect, for the effective enjoyment of human rights, in particular of the right to life, the right to the enjoyment of the highest attainable standard of physical and mental health, the right to an adequate standard of living and its components, such as the right to food, and the rights to safe drinking water and sanitation, and to adequate housing,

Recognizing further that, while the human rights implications of environmental damage are felt by individuals and communities around the world, the consequences are felt most acutely by those segments of the population who are already in vulnerable situations,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

1. *Notes with appreciation* the reports of the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment submitted to the the Human Rights Council at its twenty-second[1] and the twenty-fifth[2] sessions ;

2. *Welcomes* the work undertaken to date by the Independent Expert in studying and clarifying aspects of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;

3. *Also welcomes* the work of the Office of the United Nations High Commissioner for Human Rights and of the United Nations Environment Programme on the issue of human rights and the environment;

[1] A/HRC/22/43.

[2] A/HRC/25/53 and Add.1 and 2.

4. *Recognizes* that human rights law sets out certain procedural and substantive obligations on States in relation to the enjoyment of a safe, clean, healthy and sustainable environment, which include:

(*a*) To respect and protect the right to seek, receive and impart information and to provide information on and for assessments concerning environmental impacts on human rights;

(*b*) To respect and protect the rights of freedom of expression, association and peaceful assembly, including by facilitating and providing for meaningful opportunities to participate in decision-making processes;

(*c*) To ensure access to effective remedies where human rights and fundamental freedoms are violated;

(*d*) To adopt and implement laws and other measures to ensure that human rights are respected and protected in the context of environmental policies;

(*e*) To protect against non-State human rights abuses, including by enforcing environmental laws that directly or indirectly contribute to the protection of human rights;

5. *Reaffirms* the importance of non-discrimination in the application of environmental laws, but also of paying due attention to the members of groups particularly vulnerable to environmental harm, bearing in mind that environmental damage is felt most acutely by those segments of the population already in vulnerable situations;

6. *Recognizes* the role of human rights obligations and commitments in informing and strengthening international, regional and national policymaking in the area of environmental protection, and the importance of identifying best practices in that regard;

7. *Urges* States to comply with their human rights obligations when developing and implementing their environmental policies;

8. *Recognizes* the important role played by human rights defenders working on environmental issues in trying to promote sustainable development and finding a balance between economic and social development and environmental protection, and urges States to create a safe and enabling environment in which these human rights defenders can operate free from hindrance and insecurity, in the whole country and in all sectors of society, including by extending support to local human rights defenders;

9. *Also recognizes* the importance of giving due consideration to human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment while shaping the post-2015 development agenda, in particular while defining concrete goals, targets and indicators;

10. *Stresses* the particular relevance of international cooperation in addressing the threats to the enjoyment of human rights that result from transboundary environmental harm;

11. *Recognizes* the need to clarify further the human rights obligations of States related to transboundary environmental harm;

12. *Welcomes* the cooperation extended to date to the Independent Expert by different actors, and calls upon all States to continue to cooperate with the Independent Expert in the discharge of his mandate and to respond favourably to requests for information and visits;

13. *Requests* the High Commissioner to continue to ensure that the Independent Expert receives the resources necessary to enable him to discharge his mandate fully;

14. *Decides* to continue its consideration of this matter under the same agenda item and in accordance with its programme of work.

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Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Azerbaijan,* Belarus,* Bolivia (Plurinational State of),* Cuba, Ecuador,* Pakistan, Sri Lanka,* Sudan,* Switzerland,* Venezuela (Bolivarian Republic of), Yemen:* draft resolution

25/... Ensuring use of remotely piloted aircraft or armed drones in counter-terrorism and military operations in accordance with international law, including international human rights and humanitarian law

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, in particular Article 2, paragraph 4 thereof,

Reaffirming the Universal Declaration of Human Rights, which recognizes the right to life, liberty and security of person, among other rights,

Reaffirming also the principles enshrined in the Vienna Declaration and Programme of Action,

Reaffirming further the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling General Assembly resolution 68/178 of 18 December 2013 and Human Rights Council resolution 19/19 of 23 March 2012 on the protection of human rights and fundamental freedoms while countering terrorism,

Expressing deep concern at the civilian casualties resulting from the use of remotely piloted aircraft or armed drones, as reflected in the reports of the Special Rapporteur on the protection of human rights and fundamental freedoms while countering terrorism to the General Assembly[1] and to the Human Rights Council,[2]

* Non-member State of the Human Rights Council.
[1] A/68/389.

Expressing concern at the broader impact of remotely piloted aircraft or armed drones on individuals, children, families and communities, including the interruption of education, the undermining of religious and cultural practices and the reluctance to assist the victims of drone strikes for fear of being caught in secondary strikes,

Reaffirming that the promotion and protection of human rights for all and the rule of law are essential to the fight against terrorism and to recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but are complementary and mutually reinforcing,

Reaffirming also that all counter-terrorism measures should be implemented by States in accordance with their obligations under international law, including international human rights law, international humanitarian law and international refugee law, thereby taking into full consideration the human rights of all, including persons belonging to national or ethnic, religious and linguistic minorities, and in this regard must not be discriminatory on grounds such as race, colour, sex, language, religion or social origin,

Takes note with appreciation of the reports of the Special Rapporteur on the protection of human rights and fundamental freedoms while countering terrorism, presented to the Human Rights Council at its twenty-fifth session,[2] and of the Special Rapporteur on extrajudicial, summary or arbitrary executions, submitted to the General Assembly at its sixty-eighth session,[3]

Welcoming the statements made by the Secretary-General on 13 August 2013, and of the United Nations High Commissioner for Human Rights to the Security Council, on 19 August 2013, and to the Human Rights Council at its twenty-third session, on 27 May 2013, and at its twenty-fifth session, on 3 and 6 March 2014, on the use of remotely piloted aircraft,

Commending the role of civil society organizations in highlighting the humanitarian and human rights impact of the use of remotely piloted aircrafts or armed drones,

1. *Urges* all States to ensure that any measures employed to counter terrorism, including the use of remotely piloted aircraft or armed drones, comply with their obligations under international law, including the Charter of the United Nations, international human rights law and international humanitarian law, in particular the principles of precaution, distinction and proportionality;

2. *Calls upon* States to ensure transparency in their records on the use of remotely piloted aircraft or armed drones and to conduct prompt, independent and impartial investigations whenever there are indications of a violation to international law caused by their use;

3. *Invites* the United Nations High Commissioner for Human Rights and relevant special procedures of the Human Rights Council and the human rights treaty bodies to pay attention, within the framework of their mandates, to violations of international law as a result of use of remotely piloted aircraft or armed drones;

4. *Decides* to organize an interactive panel discussion of experts at its twenty-seventh session on the issues raised in the report of the Special Rapporteurs on the protection of human rights and fundamental freedoms while countering terrorism, from within existing resources, and invites the Office of the High Commissioner to liaise with States, relevant United Nations bodies and agencies, relevant special procedures, civil

[2] A/HRC/25/59.
[3] A/68/382.

society and other stakeholders with a view to ensuring their participation in the panel discussion;

5. *Requests* the Office of the High Commissioner to present a summary of the deliberations of the panel discussion at its twenty-eighth session.

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Human Rights Council
Twenty-fifth session
Agenda item 10
Technical assistance and capacity-building

Austria, Bulgaria*, Croatia*, Cyprus*, Czech Republic, Estonia, Ethiopia (on behalf of the Group of African States), France, Germany, Greece*, Hungary*, Ireland, Italy, Luxembourg*, Portugal*, Romania, Slovakia*, Spain*, United Kingdom of Great Britain and Northern Ireland: draft resolution

25/... Assistance to the Republic of Mali in the field of human rights

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and other relevant international human rights instruments,

Recalling General Assembly resolution 60/251 of 15 March 2006 and Council resolutions 5/1 and 5/2 of 18 June 2007, 20/17 of 6 July 2012, 21/25 of 28 September 2012 and 22/18 of 21 March 2013,

Recalling also Security Council resolutions 2085 (2012) of 20 December 2012 and 2100 (2013) of 25 April 2013,

Reaffirming that all States have an obligation to promote and protect the human rights and fundamental freedoms enshrined in the Charter, the Universal Declaration of Human Rights and the International Covenants on Human Rights and other relevant human rights instruments to which they are parties,

Reaffirming its commitment to the sovereignty, independence, unity and territorial integrity of the Republic of Mali,

Taking note of the report of the Independent Expert on the situation of human rights in Mali,[1]

Welcoming the commitment of the authorities of Mali to restore the rule of law and firmly combat impunity,

1. *Welcomes* the full return to constitutional order and significant improvement in the security situation in Mali which were made possible by the coordinated action to

* Not a State member of the Human Rights Council.
[1] A/HRC/25/72.

support the efforts of the authorities of Mali taken by the international community through the deployment of United Nations Multidimensional Integrated Stabilization Mission in Mali;

2. *Reiterates* its concern over the human rights violations committed in the Republic of Mali since 2012, which include summary executions, enforced disappearances, violence against women and children, looting, arbitrary arrests and detentions, torture and cruel, inhuman or degrading treatment perpetrated in particular by armed groups;

3. *Welcomes* the action undertaken by the Government of Mali to bring all perpetrators of such acts before impartial and independent courts, regardless of their status or post;

4. *Welcomes* the establishment in Mali of a Ministry for National Reconciliation and also the intention of the authorities of Mali to expand the mandate of the Dialogue and Reconciliation Commission to include a truth and justice component;

5. *Takes note* of the signature of an agreement on judicial cooperation between the Republic of Mali and the International Criminal Court;

6. *Welcomes* the good cooperation of Mali with the Independent Expert on the situation of human rights in Mali;

7. *Calls on* the Government of Mali to continue its efforts to protect human rights and promote national reconciliation, including through strengthening the judiciary, developing transitional justice mechanisms and reintroducing State services throughout the country;

8. *Reiterates* its call for women's full participation in the process of reconciliation, in accordance with the relevant resolutions of the Security Council;

9. *Urges* the international community to continue to provide in consultation with the Government of Mali and the neighbouring countries concerned appropriate and secure humanitarian assistance to refugees and displaced persons in order to encourage the voluntary return of them to their place of origin;

10. *Decides* to extend the mandate of the Independent Expert on the situation of human rights in Mali for one year with a view to assisting the Government of Mali in its efforts to promote and protect human rights;

11. *Requests* the Independent Expert to work closely with all entities of the United Nations, the African Union and the Economic Community of West African States, and with all other international organizations concerned and Malian civil society, and to report to the Human Rights Council at its twenty-eighth session;

12. *Requests* the Secretary-General of the United Nations and the United Nations High Commissioner for Human Rights to provide the Independent Expert with all the assistance needed to enable the expert to fully discharge his or her mandate;

13. *Encourages* the States Members of the United Nations, within the framework of their international cooperation activities, the relevant United Nations agencies, international financial institutions and all other relevant international organizations to provide technical and capacity-building assistance with a view to promoting respect for human rights and introducing judicial reforms;

14. *Decides* to remain seized of this matter.

United Nations A/HRC/25/L.34

General Assembly

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24 March 2014

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Human Rights Council
Twenty-fifth session
Agenda item 1
Organizational and procedural matters

Ethiopia (on behalf of the Group of African States), South Sudan:* statement by the President

PRST 25/... Situation of human rights in South Sudan

At the ... meeting, held on ... March 2014, the President of the Human Rights Council read out the following statement:

"The Human Rights Council:

(a) Expresses deep concern at the situation of human rights resulting from the crisis and violence that broke out in mid-December 2013 in South Sudan;

(b) Acknowledges the relevant communiqués and resolutions issued by the Intergovernmental Authority on Development, the African Union and the United Nations, and the statements made by United Nations High Commissioner for Human Rights, in which they urged the parties to the conflict to protect the civilian population from violence and to ensure full respect for human rights and fundamental freedoms;

(c) Calls upon the parties to the conflict to put an end to all violations and abuses of human rights and international humanitarian law, including attacks against and killings of civilians and the mass displacement of populations, and to implement the Cessation of Hostilities Agreement and its Implementation Modalities, as well as to show their political will and commitment to end the conflict through dialogue, reconciliation and peacebuilding;

(d) Expresses support for the democratically elected Government of South Sudan, encourages the Government to investigate the root causes of the crisis and the violence that broke out in mid-December 2013, and reiterates that all perpetrators of atrocities must be held accountable;

(e) Commends the leading role played by the Intergovernmental Authority on Development in mediating between the parties to the conflict to

* Non-member State of the Human Rights Council.

sign the Cessation of Hostilities Agreement, and the formation of a monitoring and verification team;

(f) Calls upon the international community, United Nations mechanisms and the Office of the High Commissioner to support the efforts of the African Union and the Intergovernmental Authority on Development;

(g) Urges the parties to the conflict to allow immediate and full access to humanitarian assistance to all populations in need of assistance, in accordance with humanitarian principles, to facilitate the efforts of humanitarian agencies to address the critical humanitarian crisis, and to explore durable solutions for refugees and internally displaced persons, in collaboration and coordination with local and international humanitarian organizations;

(h) Welcomes the establishment by the African Union of a commission of inquiry for South Sudan as an important step towards ensuring accountability and preventing the recurrence of such abuses;

(i) Calls upon the Government of South Sudan to cooperate fully with the United Nations Mission in South Sudan in accordance with the Status of Forces Agreement signed in August 2011;

(j) Encourages the Government of South Sudan to continue to engage with the Intergovernmental Authority on Development, the Human Rights Council and the Office of the High Commissioner on this matter."

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Human Rights Council
Twenty-fifth session
Agenda item 10
Technical assistance and capacity-building

Bahrain,* Chad,* Egypt,* France, Italy, Jordan,* Lebanon,* Libya,* Liechtenstein,* Lithuania,* Maldives, Mauritania,* Morocco, Niger,* Norway,* Oman,* Rwanda,* Saudi Arabia, Senegal,* Spain,* State of Palestine,* Sweden,* Switzerland,* Tunisia,* Turkey,* United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen:* draft resolution

25/... Technical assistance for Libya in the field of human rights

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and the other relevant international human rights treaties,

Confirming that it is the primary responsibility of States to promote and protect all human rights and fundamental freedoms,

Recognizing the challenges facing Libya in laying the foundations for transitional justice and national reconciliation,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Libya,

Recognizing the efforts made by Libya to build the basis for democracy, the rule of law and human rights,

Recalling General Assembly resolutions 60/251 of 15 March 2006 and 66/11 of 18 November 2011, on the restoration of the rights of membership of Libya in the Human Rights Council,

Recalling also the communiqué of the International Ministerial Conference on Support to Libya in the Areas of Security, Justice and the Rule of Law, issued in Paris on 12 February 2013,

Recalling further Human Rights Council resolutions S-15/1 of 25 February 2011, 17/7 of 17 June 2011, 18/9 of 29 September 2011 and 19/39 of 23 March 2012,

* Non-member State of the Human Rights Council.

Recalling Human Rights Council resolution 22/19 of 21 March 2013 on assistance for Libya in the field of human rights,

1. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on the human rights-related challenges and needs in Libya and the support provided by the United Nations Support Mission in Libya, including technical assistance and other activities to build expertise and improve cooperation with Libya in relation to the promotion and protection of human rights;[1]

2. *Recognizes* the security, political and economic challenges faced by Libya;

3. *Welcomes*:

(*a*) The election of the members of the Libyan Constitutional Assembly, which has been tasked with drafting an inclusive Constitution that guarantees the human rights of all Libyans without discrimination, which will then be subject to approval by the people of Libya;

(*b*) The promulgation of Law No. 29 on 2 December 2013 on transitional justice, which begins to address national reconciliation and inclusive national dialogue by establishing a fact-finding and reconciliation commission to address human rights violations committed under the former regime as well as during the transitional period, and by providing a 90-day deadline to complete the screening process of all detainees held without charge;

(*c*) The issuance of Decree No. 119 of 2014 by the Council of Ministers concerning recognition of victims of sexual violence as victims of war, which allows for reparation, healing and legal support;

(*d*) The adoption of laws recognizing, protecting and supporting the cultural and linguistic heritage of the Amazigh, Tebu and Tuareg; criminalizing torture, enforced disappearances and discrimination; abolishing the jurisdiction of military courts over civilians; providing pensions and benefits to families of those killed or missing during the revolution; and establishing a committee to investigate the killings in the Abu Salim prison in 1996, and urges the General National Congress to implement these laws;

(*e*) The amendment to the law in May 2013 to enhance the independence of the judiciary by allowing the election by peers of 11 out of 13 members of the Supreme Judicial Council;

4. *Also welcomes*:

(*a*) The wish expressed by the Government of Libya to continue its cooperation with the United Nations High Commissioner for Human Rights and to renew the invitation for her to visit Libya;

(*b*) The commitment of Libya to the rule of law and the establishment of legislative, executive and judicial branches of government in accordance with its international obligations, including the establishment of a committee on human rights within the General National Congress;

(*c*) The plans within the judicial police to develop a comprehensive prison reform strategy and to establish professional correction services, and the continued efforts of the Ministry of Justice to improve the situation of human rights in State-controlled detention centres;

[1] A/HRC/25/42.

(*d*) The commitment of the National Council for Civil Liberties and Human Rights to continue to work in conformity with the Paris Principles to monitor and protect human rights in Libya;

(*e*) Efforts to strengthen the role of and support for civil society and non-governmental organizations in enhancing, affirming and raising awareness of human rights;

(*f*) The ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto;

(*g*) Progress towards the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(*h*) Improvements in the treatment of detainees in detention centres under State control, and the opening of the newly built al-Jawwiyah Institution for Correction and Rehabilitation in Misrata;

(*i*) The intention to draft a national plan of action on enhancing the protection of human rights in partnership with the Office of the High Commissioner with a view to building a State governed by the rule of law, and encourages its implementation;

5. *Calls upon* the Government of Libya to establish a broad-based and inclusive national dialogue in order to ensure a peaceful and sustainable democratic transition;

6. *Condemns* the assassination of government officials and civil society leaders, including judges and other members of the judiciary in Derna and Benghazi, and urges the Government of Libya to continue its investigations in order to bring the perpetrators of these crimes to justice and to ensure a strengthened justice system, recognizing the need to provide substantial technical support for the investigations;

7. *Expresses concern* at the continued mistreatment of detainees in detention centres out of judicial police control;

8. *Calls upon* the Government of Libya to urgently increase efforts to establish full and effective control of all detention centres in order to ensure that detainees, including foreign detainees, are treated in accordance with its international obligations, including those relating to due process of law and basic legal protections, humane conditions of detention and fair trials, and that all detainees who will not be charged are released immediately;

9. *Urges* the Government of Libya to intensify efforts to prevent acts of torture, to investigate all allegations of torture and other ill-treatment in detention facilities, and to bring to justice those responsible;

10. *Also urges* the Government of Libya to continue to cooperate fully with the International Criminal Court and the prosecutor;

11. *Further urges* the Government of Libya to expedite the voluntary return in safety and dignity of all persons displaced, in accordance with the law on transitional justice, and to strengthen efforts to end the continued arbitrary detention, torture and harassment of individuals;

12. *Urges* the Government of Libya to take further steps to protect freedom of expression, ensuring that media can operate freely and without discrimination, to review provisions of the Penal Code and other provisions that violate freedom of expression and to abolish all Penal Code restrictions on free speech that stipulate imprisonment and the death penalty for "insults" to officials, judiciary and the State, for "slander" and for blasphemy;

13. *Calls upon* the Government of Libya to further empower women and girls, ensuring full participation in relation to the electoral system, the police and the judiciary;

14. *Encourages* the Libyan Constitutional Assembly to include in the Constitution protections for the rights of all, including members of vulnerable groups and women;

15. *Also encourages* the Libyan Constitutional Assembly to ensure participation of all members of society, as far as possible, in the process of drafting the Constitution;

16. *Calls upon* the Government of Libya to continue to protect freedom of religion and belief according to its international obligations, and to take appropriate measures to prevent attacks against persons belonging to religious or ethnic minorities, and to prosecute the perpetrators of such attacks;

17. *Urges* the Government of Libya to take further steps to guarantee freedom of association and assembly by reviewing Penal Code articles that undermine freedom of association and adopting a law for civil society organizations that is in accordance with international freedom of association standards, ensures the protection of human rights defenders and that any legal limitations are necessary and proportionate, and complies with Libya's international treaty obligations;

18. *Calls upon* the Government of Libya to review the Political Isolation Law and the amendment to Article No. 195 of the Penal Code of 5 February 2014, to ensure that they remain compliant with international human rights obligations and international humanitarian law;

19. *Calls upon* the international community to support the efforts of the Government of Libya to ensure protection of the human rights of migrants, refugees and internally displaced persons;

20. *Encourages* the Government of Libya to provide a framework for the engagement of the Office of the United Nations High Commissioner for Refugees in Libya;

21. *Welcomes and supports* the efforts made by the Government of Libya to stabilize the security situation, and urges it:

(*a*) To maintain this process through means that include arms control, availability of arms and the reintegration into society of the armed groups currently operating outside government control;

(*b*) To respond to significant psychosocial needs as a direct consequence of the conflict and, to process conflict-related detainees through the civil justice system;

22. *Takes note* of the final report of the International Commission of Inquiry on Libya,[2] and encourages the Government of Libya to fully implement the recommendations contained therein;

23. *Welcomes* the technical support provided by the United Nations High Commissioner for Human Rights, the relevant international organizations and the international community to promote the process of building a State governed by the rule of law;

24. *Recognizes* the efforts made by States in tracing, freezing and recovering stolen assets and the importance of effective cooperation between the international community and the Libyan authorities in this regard, taking into account the potential of the

[2] A/HRC/19/68.

recovery of these assets in helping the Libyan authorities to improve security, development and the realization of all human rights of the Libyan people;

25. *Welcomes* the announcement at the Rome Conference, held on 6 March 2014, of an international partnership for Libya to monitor progress in various domains, including security, governance, the rule of law, national dialogue and transitional justice;

26. *Requests* the Office of the High Commissioner to further provide technical assistance to support the Government of Libya in building and strengthening national structures that have a direct impact on the overall observance of human rights and the maintenance of the rule of law in Libya;

27. *Calls upon* the international community to continue to provide the necessary assistance to Libyan efforts towards establishing the rule of law, in coordination with the Libyan authorities, the Office of the High Commissioner and the United Nations Support Mission in Libya;

28. *Calls upon* the Government of Libya to continue to extend full cooperation to the Office of the High Commissioner and the United Nations Support Mission in Libya on all issues pertaining to the promotion and protection of human rights, including through providing full access to detainees, the courts, the judiciary and other institutions;

29. *Requests* the Office of the High Commissioner to prepare a written report for submission to the Human Rights Council at its twenty-eighth session, reflecting the human rights situation in Libya, and the technical support and capacity-building needs in Libya to strengthen the promotion and protection of and respect for human rights and fundamental freedoms, and to overcome the current challenges to security, respect for the rule of law and transitional justice.

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Human Rights Council
Twenty-fifth session
Agenda item 7
Human rights situation in Palestine and other occupied Arab territories

Benin, Bolivia (Plurinational State of),* Cuba, Ecuador,* El Salvador,* Guinea,* Honduras,* Mali,* Namibia, Pakistan (on behalf of the Organization of Islamic Cooperation), San Marino,* Senegal,* South Africa, Switzerland,* Venezuela (Bolivarian Republic of), Yemen* (on behalf of the Group of Arab States), Zimbabwe:* draft resolution

25/... Right of the Palestinian people to self-determination

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, in particular the provisions of Articles 1 and 55 thereof, which affirm the right of peoples to self-determination, and reaffirming the need for the scrupulous respect of the principle of refraining in international relations from the threat or use of force, as specified in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, adopted by the General Assembly in its resolution 2625 (XXV) of 24 October 1970,

Guided also by the provisions of article 1 of the International Covenant on Economic, Social and Cultural Rights and article 1 of the International Covenant on Civil and Political Rights, which affirm that all peoples have the right to self-determination,

Guided further by the International Covenants on Human Rights, the Universal Declaration of Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples and by the provisions of the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights,[1] and in particular Part I, paragraphs 2 and 3, relating to the right of self-determination of all peoples and especially those subject to foreign occupation,

* Non-member State of the Human Rights Council.

[1] A/CONF.157/23.

Recalling General Assembly resolutions 181 A and B (II) of 29 November 1947 and 194 (III) of 11 December 1948, as well as all other resolutions that confirm and define the inalienable rights of the Palestinian people, particularly their right to self-determination,

Recalling also Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002 and 1402 (2002) of 30 March 2002,

Taking note of General Assembly resolution 67/19 of 29 November 2012,

Recalling the conclusion of the International Court of Justice, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,

Recalling also the resolutions adopted in this regard by the Commission on Human Rights, the last of which was resolution 2005/1 of 7 April 2005,

Reaffirming the right of the Palestinian people to self-determination in accordance with the provisions of the Charter, relevant United Nations resolutions and declarations, and the provisions of international covenants and instruments relating to the right to self-determination as an international principle and as a right of all peoples in the world, and emphasizing that this jus cogens norm of international law is a basic prerequisite for achieving a just, lasting and comprehensive peace in the region of the Middle East,

Affirming the applicability of the principle of permanent sovereignty over natural resources to the Palestinian situation as an integral component of the right to self-determination,

Noting the decision of the General Assembly, in its resolution 68/12 of 26 November 2013, to proclaim 2014 the International Year of Solidarity with the Palestinian People, and reaffirming that the United Nations will continue to be engaged on the question of Palestine until the question is resolved in all its aspects in accordance with international law,

1. *Reaffirms* the inalienable, permanent and unqualified right of the Palestinian people to self-determination, including their right to live in freedom, justice and dignity, and to establish their sovereign, independent, democratic and viable contiguous State;

2. *Also reaffirms* its support for the solution of two States, Palestine and Israel, living side by side in peace and security;

3. *Stresses* the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem;

4. *Confirms* that the right of the Palestinian people to permanent sovereignty over their natural wealth and resources must be used in the interest of their national development, the well-being of the Palestinian people and as part of the realization of their right to self-determination;

5. *Urges* all Member States and relevant bodies of the United Nations system to support and assist the Palestinian people in the early realization of their right to self-determination;

6. *Decides* to continue the consideration of this question at its twenty-eighth session.

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Human Rights Council
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Benin, Bolivia (Plurinational State of),* Cuba, Ecuador,* Guinea,* Mali,* Namibia, Pakistan (on behalf of the Organization of Islamic Cooperation), Senegal,* South Africa, Venezuela (Bolivarian Republic of), Yemen*(on behalf of the Group of Arab States), Zimbabwe:* draft resolution

25/... Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan

The Human Rights Council,

Guided by the principles of the Charter of the United Nations and affirming the inadmissibility of the acquisition of territory by force,

Reaffirming that all States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter and as elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable instruments,

Recalling the relevant resolutions of the Commission on Human Rights, the Human Rights Council, the Security Council and the General Assembly reaffirming, inter alia, the illegality of the Israeli settlements in the occupied territories, including in East Jerusalem,

Recalling also Human Rights Council resolution 19/17 of 22 March 2012, in which the Council decided to establish an independent international fact-finding mission to investigate the implications of the Israeli settlements on the human rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,

Mindful that Israel is a party to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable de jure to Palestinian and all Arab territories occupied by Israel since 1967, including East Jerusalem and the Syrian Golan, and recalling the declaration adopted by the Conference of High Contracting Parties to the Fourth Geneva Convention, held in Geneva on 5 December 2001,

* Non-member State of the Human Rights Council.

Considering that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention and relevant provisions of customary law, including those codified in Additional Protocol I to the Geneva Conventions of 12 August 1949,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting that the International Court of Justice concluded that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, had been established in breach of international law,

Taking note of the recent relevant reports of the Secretary-General, the Office of the United Nations High Commissioner for Human Rights, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and the treaty bodies monitoring compliance with the human rights treaties to which Israel is a party, as well as the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,

Taking note also of the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,[1]

Affirming that the Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, undermine regional and international efforts aimed at the realization of the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, on the basis of the pre-1967 borders,

Recalling the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, and emphasizing specifically the Quartet's call for a freeze on all settlement activity, including so-called natural growth, and the dismantlement of all settlement outposts erected since March 2001, and the need for Israel to uphold its obligations and commitments in this regard,

Taking note of General Assembly resolution 67/19 of 29 November 2012, by which, inter alia, Palestine was accorded the status of non-member observer State in the United Nations, and taking note of the follow-up report thereon of the Secretary-General,[2]

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the forced displacement of Palestinian civilians, including Bedouin families, the exploitation of natural resources and other actions against the Palestinian civilian population and the civilian population in the occupied Syrian Golan that are contrary to international law,

Expressing grave concern at the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, including in East Jerusalem, in violation of international humanitarian law, relevant United Nations resolutions, the agreements reached between the parties and obligations under the Quartet road map, and in defiance of the calls by the international community to cease all settlement activities,

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[1] A/HRC/22/63.

[2] A/67/738.

Expressing grave concern in particular at the construction and expansion by Israel of settlements in and around occupied East Jerusalem, including its so-called E-1 plan, which aims to connect its illegal settlements around and further isolate occupied East Jerusalem, thus threatening the creation of a contiguous Palestinian State, as well as at the continuing demolition of Palestinian homes and eviction of Palestinian families from the city, the revocation of Palestinian residency rights in the city, and ongoing settlement activities in the Jordan Valley,

Expressing grave concern at the continuing construction, contrary to international law, by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern in particular at the route of the wall in departure from the Armistice Line of 1949, which is causing humanitarian hardship and a serious decline in socioeconomic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory and undermining its viability, and could prejudge future negotiations and make the two-State solution physically impossible to implement,

Deeply concerned that the wall's route has been traced in such a way as to include the gr at majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Deploring settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, as well as any activities involving the confiscation of land, the disruption of the livelihood of protected persons, the forced displacement of civilians and the de facto annexation of land,

Gravely concerned at the rising number of incidents of violence, destruction, harassment, provocation and incitement by extremist Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians, including children, and their properties, including historic and religious sites, and agricultural lands,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Recalling Human Rights Council resolution 22/29 of 22 March 2013, in follow-up to the report of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,

Recalling the Guiding Principles on Business and Human Rights,[3] which place responsibilities on all business enterprises to respect human rights by, inter alia, refraining from contributing to human rights abuses arising from conflict, and urge States to provide adequate assistance to business enterprises to assess and address the heightened risks of abuses in conflict-affected areas,

Reaffirming the fact that the High Contracting Parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War undertook to respect and ensure respect for the Convention in all circumstances, and that States should not recognize an unlawful situation arising from breaches of peremptory norms of international law,

[3] A/HRC/17/31, annex.

Emphasizing the importance for States to act in accordance with their own national legislation on promoting compliance with international humanitarian law with regard to business activities that result in human rights abuses,

Expressing its concern at the failure of Israel, the occupying Power, to cooperate fully with the relevant United Nations mechanisms, in particular the Special Rapporteur on the situation of human rights in the Palestinian Territories occupied since 1967,

1. *Reaffirms* that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan, to abide scrupulously by the provisions of the Convention, in particular article 49 thereof, and to comply with all its obligations under international law and cease immediately all actions causing the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan;

3. *Demands* that Israel, the occupying Power, immediately and completely cease all of its settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of all relevant resolutions of the Security Council, including, inter alia, resolutions 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980 and 1515 (2003) of 19 November 2003;

4. *Demands* that Israel, the occupying Power, comply fully with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;

5. *Condemns* the continuing settlement and related activities by Israel, including the expansion of settlements, the expropriation of land, the demolition of houses, the confiscation and destruction of property, the expulsion of Palestinians and the construction of bypass roads, which change the physical character and demographic composition of the occupied territories, including East Jerusalem and the Syrian Golan, and constitute a violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular article 49 thereof;

6. *Also condemns* the recent Israeli announcements of the construction of new housing units for Israeli settlers in the West Bank and around occupied East Jerusalem, as they seriously undermine the peace process and jeopardize the ongoing efforts by the international community to reach a final settlement compliant with international legitimacy, including relevant United Nations resolutions, constitute a threat to the two-State solution and the creation of a contiguous, sovereign, independent Palestinian State, and are in violation of international law and would entail the forced transfer of Palestinian civilians, and calls upon the Government of Israel to immediately reverse its decisions;

7. *Expresses its grave concern* at:

(*a*) The increasing number of newly built structures over the past years and to date, undermining the efforts of the international community to advance the Middle East peace process;

(*b*) The implications for the final status negotiations of Israel's announcement that it will retain the major settlement blocks in the Occupied Palestinian Territory, including the settlements located in the Jordan Valley;

(*c*) The expansion of Israeli settlements and the construction of new ones on the occupied Palestinian territory rendered inaccessible behind the wall, which create a fait accompli on the ground that could well be permanent, in which case, it would be tantamount to de facto annexation;

(*d*) The operation by Israel of a tramway between West Jerusalem and the Israeli settlement of Pisgat Zeev, which is in clear violation of international law and relevant United Nations resolutions;

8. *Calls upon* Israel, the occupying Power:

(*a*) To reverse the settlement policy in the occupied territories, including East Jerusalem and the Syrian Golan, and, as a first step towards their dismantlement, to stop immediately the expansion of existing settlements, including so-called natural growth and related activities, prevent any new installation of settlers in the occupied territories, including in East Jerusalem, and discard its E-1 plan;

(*b*) To immediately cease construction of the new illegal settlement highway (the "Begin Highway") in the neighbourhood of Beit Safafa in occupied East Jerusalem, which is in clear violation of international law;

(*c*) To put an end to the human rights violations linked to the presence of settlements, especially of the right to self-determination, and fulfil its international obligations to provide effective remedy for victims;

(*d*) To take immediate measures to prohibit and eradicate all policies or practices that discriminate against and disproportionately affect the Palestinian population in the Occupied Palestinian Territory, including East Jerusalem, by, inter alia, putting an end to the system of separate roads for the exclusive use of Israeli settlers, who reside illegally in the said territory, to the complex combination of movement restrictions consisting of the wall, roadblocks and a permit regime that only affects the Palestinian population, and to the application of a two-tier legal system;

(*e*) To put an end to measures resulting in the territorial fragmentation of the Occupied Palestinian Territory, including East Jerusalem, and which are isolating Palestinian communities into separate enclaves;

(*f*) To take and implement serious measures, including confiscation of arms and enforcement of criminal sanctions, with the aim of ensuring full accountability for, and preventing, all acts of violence by Israeli settlers, and to take other measures to guarantee the safety and protection of Palestinian civilians and Palestinian properties in the Occupied Palestinian Territory, including East Jerusalem;

(*g*) To bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

9. *Welcomes* the adoption of the European Union Guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the European Union from 2014 onwards;

10. *Encourages* all States and international organizations to continue to actively pursue policies that ensure respect of their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlements;

11. *Urges* all States:

(*a*) To ensure that they are not taking actions that assist the expansion of settlements or construction of the wall in the Occupied Palestinian Territory, including East Jerusalem;

(*b*) To implement the Guiding Principles on Business and Human Rights in relation to the Occupied Palestinian Territory, including East Jerusalem, and to take appropriate measures to encourage businesses domiciled in their territory and/or under their jurisdiction, including those owned or controlled by them, to refrain from committing or contributing to gross human rights abuses of Palestinians, in accordance with the expected standard of conduct in the Guiding Principles and relevant international laws and standards;

(*c*) To provide guidance and information to individuals and businesses of the financial, reputational and legal risks, as well as the possible abuses of the rights of individuals, of getting involved in settlement-related activities, including economic and financial activities, the provision of services in settlements and the purchasing of property;

12. *Requests* that all parties concerned, including United Nations bodies, implement and ensure the implementation of the recommendations contained in the report of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and endorsed by the Human Rights Council through its resolution 22/29, in accordance with their respective mandates;

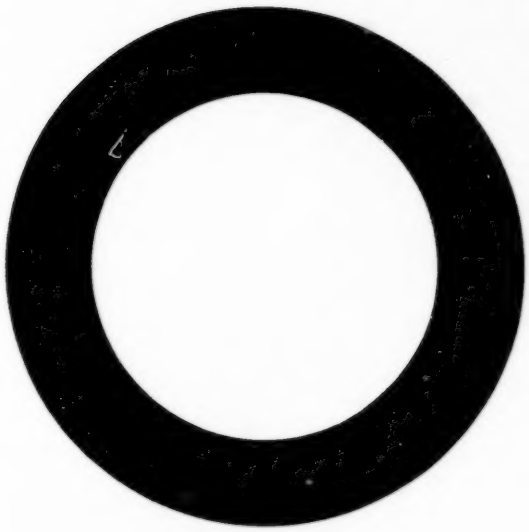
13. *Calls upon* the relevant United Nations bodies to take all necessary measures and actions within their mandates to ensure full respect for and compliance with Human Rights Council resolution 17/4 of 16 June 2011, on the Guiding Principles on Business and Human Rights and other relevant international laws and standards, and to ensure the implementation of the United Nations "Protect, Respect and Remedy" Framework, which provides a global standard for upholding human rights in relation to business activities that are connected with Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem;

14. *Welcomes* the decision of the Working Group on the issue of human rights and transnational corporations and other business enterprises to issue a statement before the twenty-sixth session of the Human Rights Council as an important step in accordance with the request made to it by the Council in its resolution 22/29 in relation to all business operations relating to Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem;

15. *Requests* the United Nations High Commissioner for Human Rights to present a report detailing the implementation of the recommendations contained in the report of the independent fact-finding mission on the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian People throughout the Occupied Palestinian Territory, including East Jerusalem, to the Human Rights Council at its twenty-eighth session;

16. *Requests* the Secretary-General to report on the implementation of the present resolution at its twenty-eighth session;

17. *Decides* to remain seized of the matter.



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Human rights situation in Palestine and other occupied Arab territories

Benin, Bolivia (Plurinational State of),* Cuba, Ecuador,* Guinea,* Mali,* Namibia, Pakistan (on behalf of the Organization of Islamic Cooperation), Senegal,* South Africa, Venezuela (Bolivarian Republic of), Yemen* (on behalf of the Group of Arab States), Zimbabwe:* draft resolution

25/... Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan

The Human Rights Council,

Guided by the principles of the Charter of the United Nations and affirming the inadmissibility of the acquisition of territory by force,

Reaffirming that all States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter and as elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable instruments,

Recalling the relevant resolutions of the Commission on Human Rights, the Human Rights Council, the Security Council and the General Assembly reaffirming, inter alia, the illegality of the Israeli settlements in the occupied territories, including in East Jerusalem,

Recalling also Human Rights Council resolution 19/17 of 22 March 2012, in which the Council decided to establish an independent international fact-finding mission to investigate the implications of the Israeli settlements on the human rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,

Mindful that Israel is a party to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable de jure to Palestinian and all Arab territories occupied by Israel since 1967, including East Jerusalem and the Syrian Golan, and recalling the declaration adopted by the Conference of High Contracting Parties to the Fourth Geneva Convention, held in Geneva on 5 December 2001,

* Non-member State of the Human Rights Council.

Considering that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention and relevant provisions of customary law, including those codified in Additional Protocol I to the Geneva Conventions of 12 August 1949,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting that the International Court of Justice concluded that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, had been established in breach of international law,

Taking note of the recent relevant reports of the Secretary-General, the Office of the United Nations High Commissioner for Human Rights, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and the treaty bodies monitoring compliance with the human rights treaties to which Israel is a party, as well as the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,

Taking note also of the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,[1]

Affirming that the Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, undermine regional and international efforts aimed at the realization of the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, on the basis of the pre-1967 borders,

Recalling the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict, and emphasizing specifically the Quartet's call for a freeze on all settlement activity, including so-called natural growth, and the dismantlement of all settlement outposts erected since March 2001, and the need for Israel to uphold its obligations and commitments in this regard,

Taking note of General Assembly resolution 67/19 of 29 November 2012, by which, inter alia, Palestine was accorded the status of non-member observer State in the United Nations, and taking note of the follow-up report thereon of the Secretary-General,[2]

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the forced displacement of Palestinian civilians, including Bedouin families, the exploitation of natural resources and other actions against the Palestinian civilian population and the civilian population in the occupied Syrian Golan that are contrary to international law,

Expressing grave concern at the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, including in East Jerusalem, in violation of international humanitarian law, relevant United Nations resolutions, the agreements reached between the parties and obligations under the Quartet road map, and in defiance of the calls by the international community to cease all settlement activities,

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[1] A/HRC/22/63.

[2] A/67/738.

Expressing grave concern in particular at the construction and expansion by Israel of settlements in and around occupied East Jerusalem, including its so-called E-1 plan, which aims to connect its illegal settlements around and further isolate occupied East Jerusalem, thus threatening the creation of a contiguous Palestinian State, as well as at the continuing demolition of Palestinian homes and eviction of Palestinian families from the city, the revocation of Palestinian residency rights in the city, and ongoing settlement activities in the Jordan Valley,

Expressing grave concern at the continuing construction, contrary to international law, by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern in particular at the route of the wall in departure from the Armistice Line of 1949, which is causing humanitarian hardship and a serious decline in socioeconomic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory and undermining its viability, and could prejudge future negotiations and make the two-State solution physically impossible to implement,

Deeply concerned that the wall's route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Deploring settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, as well as any activities involving the confiscation of land, the disruption of the livelihood of protected persons, the forced displacement of civilians and the de facto annexation of land,

Gravely concerned at the rising number of incidents of violence, destruction, harassment, provocation and incitement by extremist Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians, including children, and their properties, including historic and religious sites, and agricultural lands,

Aware of the detrimental impact of the Israeli settlements on Palestinian and other Arab natural resources, especially as a result of the confiscation of land and the forced diversion of water resources, including the destruction of orchards and crops and the seizure of water wells by Israeli settlers, and of the dire socioeconomic consequences in this regard,

Recalling Human Rights Council resolution 22/29 of 22 March 2013, in follow-up to the report of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,

Recalling the Guiding Principles on Business and Human Rights,[3] which place responsibilities on all business enterprises to respect human rights by, inter alia, refraining from contributing to human rights abuses arising from conflict, and urge States to provide adequate assistance to business enterprises to assess and address the heightened risks of abuses in conflict-affected areas,

Reaffirming the fact that the High Contracting Parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War undertook to respect and ensure respect for the Convention in all circumstances, and that States should not recognize an unlawful situation arising from breaches of peremptory norms of international law,

[3] A/HRC/17/31, annex.

Emphasizing the importance for States to act in accordance with their own national legislation on promoting compliance with international humanitarian law with regard to business activities that result in human rights abuses,

Expressing its concern at the failure of Israel, the occupying Power, to cooperate fully with the relevant United Nations mechanisms, in particular the Special Rapporteur on the situation of human rights in the Palestinian Territories occupied since 1967,

1. *Reaffirms* that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan, to abide scrupulously by the provisions of the Convention, in particular article 49 thereof, and to comply with all its obligations under international law and cease immediately all actions causing the alteration of the character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan;

3. *Demands* that Israel, the occupying Power, immediately and completely cease all of its settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of all relevant resolutions of the Security Council, including, inter alia, resolutions 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980 and 1515 (2003) of 19 November 2003;

4. *Demands* that Israel, the occupying Power, comply fully with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;

5. *Condemns* the continuing settlement and related activities by Israel, including the expansion of settlements, the expropriation of land, the demolition of houses, the confiscation and destruction of property, the expulsion of Palestinians and the construction of bypass roads, which change the physical character and demographic composition of the occupied territories, including East Jerusalem and the Syrian Golan, and constitute a violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular article 49 thereof;

6. *Also condemns* the recent Israeli announcements of the construction of new housing units for Israeli settlers in the West Bank and around occupied East Jerusalem, as they seriously undermine the peace process and jeopardize the ongoing efforts by the international community to reach a final settlement compliant with international legitimacy, including relevant United Nations resolutions, constitute a threat to the two-State solution and the creation of a contiguous, sovereign, independent Palestinian State, and are in violation of international law and would entail the forced transfer of Palestinian civilians, and calls upon Israel to immediately reverse its decisions;

7. *Expresses its grave concern* at:

(*a*) The increasing number of newly built structures over the past years and to date, undermining the efforts of the international community to advance the Middle East peace process;

(*b*) The implications for the final status negotiations of Israel's announcement that it will retain the major settlement blocks in the Occupied Palestinian Territory, including the settlements located in the Jordan Valley;

(*c*) The expansion of Israeli settlements and the construction of new ones on the occupied Palestinian territory rendered inaccessible behind the wall, which create a fait accompli on the ground that could well be permanent, in which case, it would be tantamount to de facto annexation;

(*d*) The operation by Israel of a tramway between West Jerusalem and the Israeli settlement of Pisgat Zeev, which is in clear violation of international law and relevant United Nations resolutions;

8. *Calls upon* Israel, the occupying Power:

(*a*) To reverse the settlement policy in the occupied territories, including East Jerusalem and the Syrian Golan, and, as a first step towards their dismantlement, to stop immediately the expansion of existing settlements, including so-called natural growth and related activities, prevent any new installation of settlers in the occupied territories, including in East Jerusalem, and discard its E-1 plan;

(*b*) To immediately cease construction of the new illegal settlement highway (the "Begin Highway") in the neighbourhood of Beit Safafa in occupied East Jerusalem, which is in clear violation of international law;

(*c*) To put an end to the human rights violations linked to the presence of settlements, especially of the right to self-determination, and fulfil its international obligations to provide effective remedy for victims;

(*d*) To take immediate measures to prohibit and eradicate all policies or practices that discriminate against and disproportionately affect the Palestinian population in the Occupied Palestinian Territory, including East Jerusalem, by, inter alia, putting an end to the system of separate roads for the exclusive use of Israeli settlers, who reside illegally in the said territory, to the complex combination of movement restrictions consisting of the wall, roadblocks and a permit regime that only affects the Palestinian population, and to the application of a two-tier legal system;

(*e*) To put an end to measures resulting in the territorial fragmentation of the Occupied Palestinian Territory, including East Jerusalem, and which are isolating Palestinian communities into separate enclaves;

(*f*) To take and implement serious measures, including confiscation of arms and enforcement of criminal sanctions, with the aim of ensuring full accountability for, and preventing, all acts of violence by Israeli settlers, and to take other measures to guarantee the safety and protection of Palestinian civilians and Palestinian properties in the Occupied Palestinian Territory, including East Jerusalem;

(*g*) To bring a halt to all actions, including those perpetrated by Israeli settlers, harming the environment, including the dumping of all kinds of waste materials in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which gravely threaten their natural resources, namely water and land resources, and which pose an environmental, sanitation and health threat to the civilian populations;

9. *Welcomes* the adoption of the European Union Guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the European Union from 2014 onwards;

10. *Encourages* all States and international organizations to continue to actively pursue policies that ensure respect of their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlements;

11. *Urges* all States:

(*a*) To ensure that they are not taking actions that assist the expansion of settlements or construction of the wall in the Occupied Palestinian Territory, including East Jerusalem;

(*b*) To implement the Guiding Principles on Business and Human Rights in relation to the Occupied Palestinian Territory, including East Jerusalem, and to take appropriate measures to encourage businesses domiciled in their territory and/or under their jurisdiction, including those owned or controlled by them, to refrain from committing or contributing to gross human rights abuses of Palestinians, in accordance with the expected standard of conduct in the Guiding Principles and relevant international laws and standards;

(*c*) To provide information to individuals and businesses on the financial, reputational and legal risks, as well as the possible abuses of the rights of individuals, of getting involved in settlement-related activities, including economic and financial activities, the provision of services in settlements and the purchasing of property;

12. *Requests* that all parties concerned, including United Nations bodies, implement and ensure the implementation of the recommendations contained in the report of the independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and endorsed by the Human Rights Council through its resolution 22/29, in accordance with their respective mandates;

13. *Calls upon* the relevant United Nations bodies to take all necessary measures and actions within their mandates to ensure full respect for and compliance with Human Rights Council resolution 17/4 of 16 June 2011, on the Guiding Principles on Business and Human Rights and other relevant international laws and standards, and to ensure the implementation of the United Nations "Protect, Respect and Remedy" Framework, which provides a global standard for upholding human rights in relation to business activities that are connected with Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem;

14. *Welcomes* the decision of the Working Group on the issue of human rights and transnational corporations and other business enterprises to issue a statement before the twenty-sixth session of the Human Rights Council, in follow-up to Council resolution 22/29;

15. *Requests* the United Nations High Commissioner for Human Rights to present a report detailing the implementation of the recommendations contained in the report of the independent fact-finding mission on the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian People throughout the Occupied Palestinian Territory, including East Jerusalem, to the Human Rights Council at its twenty-eighth session;

16. *Requests* the Secretary-General to report on the implementation of the present resolution at its twenty-eighth session;

17. *Decides* to remain seized of the matter.